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| 09/744,281   | 03/26/2001  | Bernard Agasse       | 11345.028001        | 3919               |
| 22511  | 7590        | 06/27/2006           | EXAMINER            |                    |
| OSHA LIANG L.L.P.<br>1221 MCKINNEY STREET<br>SUITE 2800<br>HOUSTON, TX 77010 |             |                      |                     | HOSSAIN, FARZANA E |
|  |             | ART UNIT             |                     | PAPER NUMBER       |
|  |             | 2623                 |                     |                    |

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                |                     |  |
|------------------------------|--------------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b>         | <b>Applicant(s)</b> |  |
|                              | 09/744,281                     | AGASSE, BERNARD     |  |
|                              | Examiner<br>Farzana E. Hossain | Art Unit<br>2623    |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 June 2006.
- 2a) This action is **FINAL**.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20,22,23,27-39,51-68,76-87,101-119,121,122,124,125,127-129,131-133,135-137 and 139-142 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) See Continuation Sheet is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 22 February 2006 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**Continuation of Disposition of Claims:** Claims rejected are 1-20,22,23,27-39,51-68,76-87,101-119,121,122,124,125,127-129,131-133,135-137 and 139-142.

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to communications filed 06-05-06. Claims 1, 17,51, 65, are amended. Claims 30, 114, 116 are previously presented. Claims 21, 24-26, 40-50, 69-75, 88-100, 120, 123, 126, 130, 134, 138 are cancelled. Claims 2-16, 18-20, 22, 23, 27-29, 31-39, 51-64, 66-68, 76-87, 101-113, 115, 117-119, 121, 122, 124, 125, 127-129, 131-133, 135-137, and 139-140 are original. Claims 141, 142 are new.
  
2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Response to Arguments***

3. Applicant's arguments filed 06-05-06 have been fully considered but they are not persuasive. In regards to remarks on page 16 for claims 1 and 51, the applicants remark that they are clarifying the claim language by changing "prohibiting full audio and visual access" to "permitting only partial audio and video access." The examiner would like to assert that by permitting only partial audio and video access that the user or viewer does not have complete access to specific programs or does not have subscription particular programs, which include audio and video. Townsend discloses a decoder with a conditional access control circuit, which cooperates with a smartcard to determine if a viewer, has access to the channel provided (Page 11, lines 9-14).

Microsoft Computer Dictionary 5<sup>th</sup> edition defines encryption as the process of encoding data to prevent unauthorized access, especially during transmission. Encryption is usually based on one or more keys or code that are essential for decoding or returning data to readable form. The dictionary defines a scrambler as a device that reorders a signal sequence in order to render it indecipherable. Townsend disclosed that the program is scrambled to prevent unauthorized access (Page 11, paragraph 7-9). It is necessarily included that the scrambling prevents full audio and visual access by the user or only permits partial audio and video access by a viewer, as they are not authorized to every channel. Townsend discloses if the viewer is not authorized, which reads on partial audio and video access rights as that the signals will be scrambled for the unauthorized subscribers (Page 11, lines 16-19, Figure 2, 16, 17). Therefore, Townsend still meets the claim limitations of claims 1 and 51.

4. Applicant's arguments, see pages 18-19, 3<sup>rd</sup> paragraph, filed 06-05-2006, with respect to the rejection(s) of claim(s) 12 and 60 under 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Niijima in view of Hanaya.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4, 28, 30, 35, 36, 51-53, 76, 78, 83, 84, 139 are rejected under 35 U.S.C. 102(b) as being anticipated by Townsend et al (WO 96/37996 and hereafter referred to as "Townsend").

Regarding Claims 1 and 51, Townsend discloses a decoder and a method for controlling the display of a plurality of digital television (TV) channels in respective windows of a mosaic formation (Figure 11), the decoder comprising means for receiving access rights to one of a program and a channel (Page 11, lines 10-19), means for permitting only partial audio and visual access by the user to the one of program and a channel (Page 11, lines 10-19) when displayed in the window according to the received access rights or the video of the program on the mosaic can be blocked as restricted access information is blocked by the conditional access circuit (Page 32, lines 12-13, Figure 11).

Regarding Claims 2 and 52, Townsend discloses all the limitations of Claims 1 and 51 respectively. Townsend discloses that receiving access rights data together with audiovisual data for creating a mosaic or audiovisual data or programs are usually scrambled to prevent unauthorized subscribers from gaining access (Page 11, lines 7-9).

Regarding Claim 3, Townsend discloses all the limitations of Claim 2. Townsend discloses means for issuing a request for full audio and visual access to a program displayed in the window (Figure 11, Figure 12).

Regarding Claim 4, 53 and 139, Townsend discloses all the limitations of Claims 1, 51 and 3 respectively. Townsend discloses a means for generating a cursor for display with mosaic information (Figure 11, F, Page 38, lines 9-11), the cursor being selectively movable over the windows of the mosaic formation to enable selection of a desired window within the mosaic formation (Figure 11, Page 38, lines 9-11).

Regarding Claims 28 and 76, Townsend discloses all the limitations of Claim 1 and 51 respectively. Townsend disclose that the receiving means is adapted to receive a PIN number from the remote control handset associated with the decoder (Page 39, lines 8-15).

Regarding Claims 30 and 78, Townsend discloses all the limitations of Claim 1 and 51 respectively. Townsend discloses means for prohibiting the generation of video information in dependence on the access rights to a program or channel or the video of the program on the mosaic can be blocked as restricted access information is blocked by the conditional access circuit (Page 11, lines 10-19, Page 32, lines 12-13, Figure 11).

Regarding Claims 35 and 83, Townsend discloses all the limitations of Claim 30 and 78 respectively. Townsend discloses means for controlling the display of further video information instead of video information (Figure 11).

Regarding Claims 36 and 84, Townsend discloses all the limitations of Claim 35 and 83 respectively. Townsend discloses that the further video information is promotional video information (Figure 11 and Figure 12).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5-8, 54-56, 140 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Lawler et al (US 5,758,259).

Regarding Claims 5 and 54, Townsend discloses all the limitations of Claim 4 and 53 respectively. Townsend does not disclose means for generating audio. Lawler discloses a means for generating audio information (or video clip with audio information) (Column 5, lines 8-19) associated with a particular channel in response to the positioning of a cursor over the window displaying the particular channel (Figure 3A, 96, Figure 3B, 96 Figure 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include a means for generating audio information (Column 5, lines 8-19) associated with a particular channel in response to the positioning of a cursor over the window displaying the particular

channel (Figure 3A, 96, Figure 3B, 96 Figure 4) as taught by Lawler in order to allow the user to easily find a desired program (Column 1, lines 24-34) as disclosed by Lawler.

Regarding Claims 6 and 55, Townsend discloses all the limitations of Claim 5 and 54 respectively. Townsend discloses that PPV or other conditional access programs is prohibited, which includes audio according to received access rights (Page 11, lines 7-19).

Regarding Claims 7 and 56, Townsend discloses all the limitations of Claim 6 and 55 respectively. Townsend and Lawler are silent on audio information generation is prohibited if cursor is position over window longer than predetermined length of time. Lawler discloses that a video clip including audio is displayed with respect to a selection or highlighted cell (Figures 5, 6, 7). It is obvious that once the video clip or segment is played or previewed that the clip will stop or the prohibiting means will prohibit the generation of audio information after the predetermined length of time.

Regarding Claims 8 and 140, Townsend discloses all the limitations of Claim 3 and 139 respectively. Townsend is silent on issuing means to issue request. Lawler discloses issuing means is arranged automatically to issue the request when the cursor has been positioned over the window for a predetermined period of time (Figures 3A, 3B, 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include issuing means is arranged automatically to issue the request when the cursor has been positioned over the window for a predetermined period of time (Figures 3A, 3B, 4) as taught by Lawler in order to

allow the user to easily find a desired program (Column 1, lines 24-34) as disclosed by Lawler.

9. Claims 9, 10, 57, 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Berstis et al (US 5,874,936 and hereafter referred to as "Berstis").

Regarding Claims 9 and 57, Townsend discloses all the limitations of Claims 4 and 53 respectively. Townsend discloses that unauthorized channels cannot be accessed (Page 11, lines 10-19). Townsend and Lawler are silent on means for automatically re-positioning the cursor in the event that the cursor is placed over the window displaying a program or channel to which full audio and visual access is prohibited. Berstis discloses means for automatically re-positioning the cursor in the event that the cursor is placed over the window that is not active or not accessible (Column 3, lines 5-33). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include a means for automatically re-positioning the cursor in the event that the cursor is placed over the window that is not active (Column 3, lines 5-33) as taught by Berstis in order to allow the user to navigate through multiple open windows for convenience to the user (Column 1, lines 21-60 as disclosed by Berstis).

Regarding Claims 10 and 58, Townsend and Berstis disclose all the limitations of Claims 9 and 57 respectively. Townsend discloses scanning through the program guide

(Figure 11). Berstis discloses repositioning the cursor after the expiration of a predetermined time or immediately (Column 3, lines 5-33).

10. Claims 11, 13, 59, 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Hanaya et al (US 2003/0101452 and hereafter referred to as “Hanaya”).

Regarding Claims 11 and 59, Townsend discloses all the limitations of Claims 4 and 53 respectively. Townsend is silent on means for changing an attribute of the cursor depending on the characteristic of at least one of a program and a channel displayed in a window over which the cursor is positioned. Hanaya discloses a system for displaying a plurality of channels and programs in respective windows (Figure 19). Hanaya discloses means for changing an attribute of the cursor depending on the characteristic of at least one of a program and a channel displayed in a window over which the cursor is positioned (Page 9, paragraph 0147). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hanaya to include means for changing an attribute of the cursor depending on the characteristic of at least one of a program and a channel displayed in a window over which the cursor is positioned such as the cursor is changed to different broadcast channel (Page 9, paragraph 0147) as taught by Hanaya in order to make it easier and more convenient for a user to view the programs selected or highlighted.

Regarding Claim 13, Townsend and Hanaya disclose all the limitations of Claim 11. Townsend discloses that moving around the PPV screen via a highlight which is

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user selecting the program via a changed color (Page 38, line 10). Niijima discloses changing the attributes (Figures 25, 26).

Regarding Claim 61, Townsend and Hanaya disclose all the limitations of Claim 59. Townsend discloses that moving around the mosaic via a highlight which is user selecting the program via a changed color (Page 38, line 10). Hanaya discloses changing the color depending on the characteristic (Page 9, paragraph 0147).

11. Claims 12, 60, 63, 64, 66, 101, 107, 118, 124, 128, 132 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niijima et al (US 5,903,314 and hereafter referred to as "Niijima") in view of Hanaya.

Regarding Claims 12 and 60, Niijima discloses a decoder and a method (Figure 8, 2) for controlling the display of digital TV channels in respective windows of a mosaic formation (Column 2, lines 49-57, Figure 8, Figure 28, Figure 5, Figure 7), the decoder comprising means for generating a cursor for display with the mosaic formation and the cursor being movable to select a desired channel within the mosaic formation (Figure 5, 201, Figure 20, 201). Niijima discloses a cursor and the shape of the cursor can be changed for selection (Column 21, lines 41-50). Niijima is silent on means for changing an attribute of the cursor depending on the characteristic of at least one of a program and a channel displayed in a window over which the cursor is positioned. Hanaya discloses a system for displaying a plurality of channels and programs in respective windows (Figure 19). Hanaya discloses means for changing an attribute of the cursor depending on the characteristic of at least one of a program and a channel displayed in

a window over which the cursor is positioned (Page 9, paragraph 0147). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niijima to include means for changing an attribute of the cursor depending on the characteristic of at least one of a program and a channel displayed in a window over which the cursor is positioned such as the cursor is changed to different broadcast channel (Page 9, paragraph 0147) as taught by Hanaya in order to make it easier and more convenient for a user to view the programs selected or highlighted.

Regarding Claim 63, Niijima and Hanaya disclose all the limitations of Claim 60. Niijima discloses means for tuning the decoder to a channel displayed in the desired window upon selection of the desired window (Figure 5, Figure 7).

Regarding Claim 64, Niijima and Hanaya disclose all the limitations of Claim 60. Niijima means for generating a display comprising information regarding the program displayed in the desired window upon selection of the desired window (Column 17, lines 4-23).

Regarding claim 66, Niijima and Hanaya disclose all the limitations of Claim 64. Niijima discloses communicating with a communications center to obtain the information regarding the program displayed in the desired window (Column 32, lines 55-67, Column 33, lines 1-29, Figure 27, 311, Figure 28, 323).

Regarding Claims 101, 118, Niijima and Hanaya disclose all the limitations of Claims 12 and 60 respectively. Niijima discloses that a conditional access module (CAM) and receiving keys and decipherment processing in order decipher the program data (Column 14, lines 53-67, Column 15, lines 1-9). It is necessarily included that the

CAM deciphers programs that are not restricted or prohibited to the users as conditional access systems restrict television programming for certain groups of users. Niijima discloses means for prohibiting the generation of video information in dependence on the access rights to a program or channel or the video of the program on the mosaic can be blocked as restricted access information is blocked by the conditional access circuit which is met by means for providing or not providing complete audio and visual access to the user to the program of choice if the user is permitted complete access to the program (Column 14, lines 15-67, Column 15, lines 1-9).

Regarding Claims 107 and 124, Niijima and Hanaya disclose all the limitations of Claims 12 and 60 respectively. Niijima discloses positional control means for controlling the relative positions of the windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14).

Regarding Claim 128, Niijima discloses all the limitations of Claim 124. Niijima discloses positional control means for controlling the relative positions of the windows in response to received window positioning data for controlling the relative positions of the windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14).

Regarding Claim 132, Niijima and Hanaya disclose all the limitations of Claim 124. Niijima discloses that relative positions of windows of the mosaic formation are controlled according to a program characteristic of programs normally shown on the channels displayed in the windows (Figure 25 and Figure 26).

12. Claims 14, 110 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Hanaya as applied to claim 11, 59 above, and further in view of Young.

Regarding Claim 14 and 110, Townsend and Hanaya disclose all the limitations of Claim 11 and 59 respectively. Hanaya discloses selecting programs via the channel (Page 9, paragraph 0147). Townsend and Hanaya are silent on assign the characteristic from a remote control handset associated with the decoder and means for assigning the characteristic in response to the received data. Young discloses means for receiving data for assigning the characteristic from a remote control handset associated with the decoder (Figure 20) and means for assigning the characteristic in response to the received data (Figure 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend in view of Hanaya to include means for receiving data for assigning the characteristic from a remote control handset associated with the decoder (Figure 20) and means for assigning the characteristic in response to the received data (Figure 20) as taught by Young in order to allow easier access for program listings to record on a VCR including future times (Column 1, lines 13-25) as disclosed by Young.

13. Claims 15-19, 31, 33, 38, 39, 65, 79, 86, 87, 102, 108, 111, 112, 119, 125, 127, 131, 133 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Niijima.

Regarding Claims 15 and 111, Townsend discloses all the limitations of Claim 4, and 53 respectively. Townsend is silent on means for tuning the decoder to a channel displayed in the desired window upon selection of the desired window. Niijima discloses means for tuning the decoder to a channel displayed in the desired window upon selection of the desired window (Figure 5, Figure 7). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include a means for tuning the decoder to a channel displayed in the desired window upon selection of the desired window (Figure 5, Figure 7) as taught by Niijima in order to allow the user to easily recognize the program broadcast while trying find a desired program (Column 1, lines 13-33) as disclosed by Niijima.

Regarding Claims 16 and 112, Townsend discloses all the limitations of Claim 4 and 53 respectively. Townsend is silent on means for generating a display comprising information regarding the program displayed in the desired window upon selection of the desired window. Niijima means for generating a display comprising information regarding the program displayed in the desired window upon selection of the desired window (Column 17, lines 4-23). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include a means for generating a display comprising information regarding the program displayed in the desired window upon selection of the desired window (Column 17, lines 4-23) as taught by Niijima in order to allow the user to easily recognize the program broadcast while trying find a desired program (Column 1, lines 13-33) as disclosed by Niijima.

Regarding Claims 17 and 65, Townsend discloses all the limitations of Claim 1 and 51 respectively. Townsend discloses a means for generating a cursor for display with mosaic information (Figure 11, F, Page 38, lines 9-11), the cursor being selectively movable over the windows of the mosaic formation to enable selection of a desired window within the mosaic formation (Figure 11, Page 38, lines 9-11). Townsend is silent on means for generating a display comprising information regarding the program displayed in the desired window upon selection of the desired window (Column 17, lines 4-23) and means for communicating with a communications center to obtain the information regarding the program displayed in the desired window. Niijima discloses a decoder (Figure 8, 2) for controlling the display of digital TV channels in respective windows of a mosaic formation (Column 2, lines 49-57, Figure 8, Figure 28, Figure 5, Figure 7, Figure 11), the decoder comprising means for generating a cursor for display with the mosaic formation (Figure 5, 201, Figure 20, 201), the cursor being selectively movable over the windows of the mosaic formation to enable selection of a desired window within the mosaic formation (Figure 5, 201, Figure 20, 201), and means for generating a display comprising information regarding the program displayed in the desired window upon selection of the desired window (Column 17, lines 4-23). Niijima discloses that the user can select and program and transmit to the communications center the request for information about the program or the program, the audio of the program regarding the program displayed in the desired window, data of a program (Column 32, lines 55-67, Column 33, lines 1-29, Figure 27, 311, Figure 28, 311, 323). Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify Townsend to include means for generating a display comprising information regarding the program displayed in the desired window upon selection of the desired window (Column 17, lines 4-23) and the user can select and program and transmit to the communications center the request for information about the program or the program, the audio of the program regarding the program displayed in the desired window, data of a program (Column 32, lines 55-67, Column 33, lines 1-29, Figure 27, 311, Figure 28, 311, 323) as taught by Niijima in order to allow a desired program rapidly with certainty, intuitively and directly from among a large number of programs (Column 1, lines 5-12) as disclosed by Niijima.

Regarding Claim 18, Townsend and Niijima discloses all the limitations of Claim 16. Townsend discloses means for communicating with a communications center to obtain the information regarding the program displayed in the desired window (Figure 1, 7, Figure 12).

Regarding Claim 19, Townsend and Niijima discloses all the limitations of Claim 18. Townsend discloses means for dialing up the communications center to supply a request for the information regarding the program displayed in the desired window (Figure 1, 7, Figure 12).

Regarding Claims 31 and 79, Townsend discloses all the limitations of Claims 30 and 78 respectively. Townsend is silent on a picture. Niijima discloses that a picture may be used instead of video information (Column 35, lines 57-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include that a picture may be used instead of video information

(Column 35, lines 57-62) as taught by Niijima in order to allow the user to easily recognize the program broadcast while trying find a desired program (Column 1, lines 13-33) as disclosed by Niijima.

Regarding Claim 33, Townsend discloses all the limitations of Claim 31. Townsend is silent on an image. Niijima discloses that the picture can comprise still images or text (Column 35, lines 57-62). It is necessarily included that the image is associated with program displayed on the window.

Regarding Claims 38 and 86, Townsend discloses all the limitations of Claims 1 and 51 respectively. Townsend is does not explicitly disclose on positional control means. Niijima discloses positional control means for controlling the relative positions of the windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include positional control means for controlling the relative positions of the windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14) as taught by Niijima in order to allow the user to easily recognize the program broadcast while trying find a desired program (Column 1, lines 13-33) as disclosed by Niijima.

Regarding Claims 39 and 87, Townsend and Niijima disclose all the limitations of Claims 38 and 86 respectively. Townsend discloses that PPV programs or programs which need access rights (Page 39, lines 8-15) are have different relative positions than broadcast/satellite TV program guide (Figure 12). Townsend does not explicitly disclose positional control means. Niijima discloses positional control means is

arranged to control the relative positions of the windows in response to groups, which include movies (Figure 25, 26) and video on demand (Figure 27 and 28), which are arranged by positional control means.

Regarding Claims 102, 119, Townsend and Niijima disclose all the limitations of Claims 17 and 65 respectively. Niijima discloses that a conditional access module (CAM) and receiving keys and decipherment processing in order decipher the program data (Column 14, lines 53-67, Column 15, lines 1-9). It is necessarily included that the CAM deciphers programs that are not restricted or prohibited to the users as conditional access systems restrict television programming for certain groups of users. Niijima discloses and means for providing complete audio and visual access to the user to the program of choice if the user is permitted complete access to the program (Column 14, lines 15-67, Column 15, lines 1-9). Townsend discloses means for prohibiting the generation of video information in dependence on the access rights to a program or channel or the video of the program on the mosaic can be blocked as restricted access information is blocked by the conditional access circuit (Page 11, lines 10-19, Page 32, lines 12-13, Figure 11).

Regarding Claims 108 and 125, Townsend and Niijima disclose all the limitations of Claims 17 and 65 respectively. Niijima discloses positional control means for controlling the relative positions of the windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14).

Regarding Claims 127, Townsend and Niijima disclose all the limitations of Claim 86. Niijima discloses positional control means for controlling the relative positions of the

windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14).

Regarding Claim 129, Townsend and Niijima discloses all the limitations of Claim 125. Niijima discloses positional control means for controlling the relative positions of the windows in response to received window positioning data for controlling the relative positions of the windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14).

Regarding Claims 131, Townsend and Niijima disclose all the limitations of Claim 86. Townsend is silent on positional control means. Niijima discloses positional control means for controlling the relative positions of the windows in response to received window positioning data for controlling the relative positions of the windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14).

Regarding Claim 133, Townsend and Niijima discloses all the limitations of Claim 125. Niijima discloses that relative positions of windows of the mosaic formation are controlled according to a program characteristic of programs normally shown on the channels displayed in the windows (Figure 25 and Figure 26).

14. Claims 20, 22, 23, 27, 103, 113, 114, 116 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Young.

Regarding Claims 20 and 113, Townsend discloses all the limitations of Claim 4 and 53 respectively. Townsend is silent on means for generating a display comprising a

schedule with forthcoming programs of at least one digital TV channel in respective windows. Young discloses a means for generating a display comprising a schedule with forthcoming programs of at least one digital TV channel in respective windows or a displaying of forthcoming program schedule for the channel displayed in the desired window or cell (Figure 7, 58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include means for generating a display comprising a forthcoming program schedule for the channel displayed in the desired window upon selection upon selection of the desired window (Figure 7, 58) as taught by Young in order to allow easier access for program listings to record on a VCR including future times (Column 1, lines 13-25) as disclosed by Young.

Regarding Claims 22 and 114, Townsend and Young discloses all the limitations of Claims 20 and Claim 113 respectively. Townsend discloses that program guide display can be mosaic or textual display of program schedule information. Young discloses that the forthcoming program schedule which is in a textual display (Figure 7).

Regarding Claims 23 and 116, Townsend and Young discloses all the limitations of Claims 20 and 113 respectively. Townsend discloses that program guide display can be mosaic or textual display of program schedule information. Young discloses that the forthcoming program schedule (Figure 7).

Regarding Claim 27, Townsend and Young disclose all the limitations of Claim 23. Townsend discloses that the plurality of pictorial images comprises video footage (Figure 11). Young discloses the forthcoming program (Figure 7).

Regarding Claim 103, Townsend and Young disclose all the limitations of Claim 20. Townsend discloses means for prohibiting the generation of video information in dependence on the access rights to a program or channel or the video of the program on the mosaic can be blocked as restricted access information is blocked by the conditional access circuit (Page 11, lines 10-19, Page 32, lines 12-13, Figure 11).

15. Claims 32, 80, 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Niijima as applied to claims 31 and 79 respectively above, and further in view of Morales (US 5,663,757).

Regarding Claims 32 and 80, Townsend and Niijima disclose all the limitations of Claims 31 and 79. Townsend and Niijima are silent on logos of channels. Morales discloses that a picture comprise a logo associated with a channel displayed in the window (Figure 3, 10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend in view of Niijima to include a picture comprising a logo associated with a channel displayed in the window (Figure 3, 10) as taught by Morales in order to provide the user with easier channel selection as the TV networks may have different channels in area counties or an out of town visitor in a hotel (Column 5, lines 10-25) as disclosed by Morales.

Regarding Claim 81, Townsend discloses all the limitations of Claim 80. Townsend is silent on an image. Niijima discloses that the picture can comprise still images or text (Column 35, lines 57-62). It is necessarily included that the image is associated with program displayed on the window.

16. Claims 29 and 77 rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Florin et al (US 5,594,509 and hereafter referred to as "Florin").

Regarding Claims 29 and 77, Townsend discloses all the limitations of Claims 28 and 76 respectively. Townsend disclose that the receiving means is adapted to receive a PIN number from the remote control handset associated with the decoder (Page 39, lines 8-15). Townsend does not explicitly disclose authenticating the PIN number. Florin discloses a confirmation or authenticating the received PIN number to permit reception of access rights (Figure 41). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include authenticating the received PIN number to permit reception of access rights (Figure 41) as taught by Florin in order to provide improve the user interface for selecting and displaying TV programs (Column 2, lines 36-40) as disclosed by Florin.

17. Claims 34, 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Balakrishnan et al (US 2001/0052135 and hereafter referred to as "Balak").

Regarding Claims 34 and 82, Townsend discloses all the limitations of Claim 30 and 78 respectively. Townsend is silent on an advertisement. Balak discloses that advertisements can be seen in a mosaic formation (Page 2, paragraph 0018). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include means for controlling the display of

an advertisement in the window instead of a video information (Page 2, paragraph 18) as taught by Balak in order to provide users target commercials of their own choosing (Page 1, paragraphs 0001-0003) as disclosed by Balak.

18. Claims 37 and 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Kahn (US 5,978,649).

Regarding Claim 37 and 85, Townsend discloses all the limitations of Claims 1 and 85 respectively. Townsend is silent on generating a message due to lack of access rights when a cursor is on a channel. Kahn discloses means to generating message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG (Column 7, lines 42-56). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend to include a means to generating a message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG (Column 7, lines 42-56) as taught by Kahn in order to control channel authorization in case such as PPV channels (Column 1, lines 26-31) as disclosed by Kahn.

19. Claims 62, 68, 115, 117 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niijima in view of Hanaya as applied to claim 60 above, and further in view of Young et al (US 5,809,204 and hereafter referred to as "Young").

Regarding Claim 62, Niijima and Hanaya disclose all the limitations of Claim 60. Niijima discloses selecting programs and the most often selected programs are

assigned favorite (Figure 25 and Figure 26). Niijima and Hanaya are silent on assign the characteristic from a remote control handset associated with the decoder and means for assigning the characteristic in response to the received data. Young discloses means for receiving data for assigning the characteristic from a remote control handset associated with the decoder (Figure 20) and means for assigning the characteristic in response to the received data (Figure 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niijima in view of Hanaya to include means for receiving data for assigning the characteristic from a remote control handset associated with the decoder (Figure 20) and means for assigning the characteristic in response to the received data (Figure 20) as taught by Young in order to allow easier access for program listings to record on a VCR including future times (Column 1, lines 13-25) as disclosed by Young.

Regarding Claim 68, Niijima and Hanaya disclose all the limitations of Claim 60. Niijima and Hanaya are silent on the means for generating a display comprising a forthcoming program schedule for the channel displayed in the desired window upon selection upon selection of the desired window. Young discloses a means for generating a display comprising a forthcoming program schedule for the channel displayed in the desired window upon selection upon selection of the desired window or a displaying of forthcoming program schedule for the channel displayed in the desired window or cell (Figure 7, 58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niijima in view of Hanaya to include means for generating a display comprising a forthcoming program schedule for

the channel displayed in the desired window upon selection upon selection of the desired window (Figure 7, 58) as taught by Young in order to allow easier access for program listings to record on a VCR including future times (Column 1, lines 13-25) as disclosed by Young.

Regarding Claim 115, Niijima, Hanaya and Young disclose all the limitations of Claim 68. Niijima discloses that program schedule can comprise textual display of program schedule information (Column 35, lines 57-62). Young discloses the forthcoming schedule and the textual display of program schedule information (Figure 7).

Regarding Claim 117, Niijima, Hanaya and Young disclose all the limitations of Claim 68 respectively. Niijima discloses that program schedule comprises pictorial images associated with programs (Figure 5, 7). Young discloses the forthcoming schedule (Figure 7).

20. Claim 67 is rejected under 35 U.S.C. 103(a) as being unpatentable over Niijima in view of Hanaya as applied to claim 66 above, and further in view of Townsend.

Regarding Claim 67, Niijima and Hanaya disclose all the limitations of Claim 66. Niijima discloses communicating with a communications center (Figure 7, 311, figure 8, 323). Niijima is silent on dialing up the communications center. Townsend discloses means for dialing up the communications center to supply a request for the information regarding the program displayed in the desired window (Figure 1, 7, Figure 12). Therefore, it would have been obvious to one of ordinary skill in the art at the time the

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niijima to include a means for dialing up the communications center to supply a request for the information regarding the program displayed in the desired window (Figure 1, 7, Figure 12) as taught by Townsend in order to provide the user with television programming, program schedules and PPV on the same carrier channel and thus becoming more efficient (Page 4, lines 12-23) as disclosed by Townsend.

21. Claims 104, 121 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niijima in view of Hanaya as applied to claims 12 and 60 above, and further in view of Kahn.

Regarding Claims 104 and 121, Niijima discloses all the limitations of Claims 12 and 60 respectively. Niijima is silent on means to generating message information a user of the access rights of a channel in the event of placing a cursor. Kahn discloses means to generating message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG (Column 7, lines 42-56). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niijima and Hanaya to include a means to generating a message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG (Column 7, lines 42-56) as taught by Kahn in order to control channel authorization in case such as PPV channels (Column 1, lines 26-31) as disclosed by Kahn.

22. Claims 105, 122 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Niijima as applied to claims 17 and 65 above, and further in view of Kahn.

Regarding Claims 105 and 122, Niijima discloses all the limitations of Claims 17 and 65 respectively. Niijima is silent on means to generating message information a user of the access rights of a channel in the event of placing a cursor. Kahn discloses means to generating message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG (Column 7, lines 42-56). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend in view of Niijima to include a means to generating a message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG (Column 7, lines 42-56) as taught by Kahn in order to control channel authorization in case such as PPV channels (Column 1, lines 26-31) as disclosed by Kahn.

23. Claim 106 is rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Young as applied to claim 20 above, and further in view of Kahn.

Regarding Claim 106, Townsend and Young disclose all the limitations of Claim 20. Townsend and Young are silent on generating a message due to lack of access rights when a cursor is on a channel. Kahn discloses means to generating message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG (Column 7, lines 42-56). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend in view of Young to include a means to generating a message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG (Column 7, lines 42-56) as taught by Kahn in order to control channel authorization in case such as PPV channels (Column 1, lines 26-31) as disclosed by Kahn.

24. Claim 109 is rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Young as applied to claim 20 above, and further in view of Niijima.

Regarding Claim 109, Townsend and Young disclose all the limitations of Claim 20. Townsend does not explicitly disclose on positional control means. Young is silent on positional control means. Niijima discloses positional control means for controlling the relative positions of the windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend in view of Young to include positional control means for controlling the relative positions of the windows with the mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14) as taught by Niijima in order to allow the user to easily recognize the program broadcast while trying find a desired program (Column 1, lines 13-33) as disclosed by Niijima.

25. Claims 135, 137 are rejected under 35 U.S.C. 103(a) as being unpatentable over Townsend in view of Niijima as applied to claim 86 above, and further in view of Florin.

Regarding Claims 135 and 137, Townsend and Niijima disclose all the limitations of Claims 86 and 125 respectively. Townsend and Niijima are silent on a window in constant position. Florin discloses a positional control means is arranged to maintain a window displaying a particular channel and program in a constant position in the mosaic formation (Figures 27-29, 365, Figure 30, 325). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Townsend in view of Niijima to include a positional control means is arranged to maintain a window displaying a particular channel and program in a constant position in the mosaic formation (Figures 27-29, 365, Figure 30, 325) as taught by Florin in order to provide improve the user interface for selecting and displaying TV programs (Column 2, lines 36-40)) as disclosed by Florin.

26. Claim 136 is rejected under 35 U.S.C. 103(a) as being unpatentable over Niijima in view of Hanaya as applied to claim 124 above, and further in view of Florin.

Regarding Claims 136, Niijima and Hanaya disclose all the limitations of Claim 124. Niijima and Hanaya are silent on a window in constant position. Florin discloses a positional control means is arranged to maintain a window displaying a particular channel and program in a constant position in the mosaic formation (Figures 27-29, 365, Figure 30, 325). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niijima in view of Hanaya to include

a positional control means is arranged to maintain a window displaying a particular channel and program in a constant position in the mosaic formation (Figures 27-29, 365, Figure 30, 325) as taught by Florin in order to provide improve the user interface for selecting and displaying TV programs (Column 2, lines 36-40)) as disclosed by Florin.

27. Claims 141, 142 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niijima in view of Townsend.

Regarding Claim 142, Niijima discloses a decoder for controlling the display of a plurality of digital television (TV) channels in respective windows of a mosaic formation (Figure 5 and 20), the decoder comprising; means for receiving access rights to a first program and a second program displayed in the mosaic formation (Column 14, lines 53-62); means for determining whether a user is permitted complete access to the first program based on the access rights associated with the user or processing the data with the deciphering data to permit access to the program data via the conditional access module (CAM) (Column 14, lines 15-67, Column 15, lines 1-9). It is necessarily included that the CAM deciphers programs that are not restricted or prohibited to the users as conditional access systems restrict television programming for certain groups of users. Niijima discloses and means for providing complete audio and visual access to the user to the first program or program of choice if the user is permitted complete access to the first program (Column 14, lines 15-67, Column 15, lines 1-9). Townsend discloses a decoder for controlling the display of a plurality of digital television (TV)

channels in respective windows of a mosaic formation (Figure 11), the decoder comprising that the means for permitting only partial audio and visual access by the user to the first program while the first program is displayed in the windows of the mosaic formation (Page 11, lines 10-19, Figure 11), if the user is not permitted complete access to first program and means for providing complete audio and visual access to the first program (Page 11, lines 10-19, Page 32, lines 12-13, Figure 11) and means for providing complete audio and visual access to the user to the first program if the user is permitted complete access to the first program (Page 11, lines 10-19, Page 32, lines 12-13, Figure 11). Therefore, it would have been obvious at the time the invention was made to modify Niijima to include means for permitting only partial audio and visual access by the user to the first program while the first program is displayed in the windows of the mosaic formation (Page 11, lines 10-19, Figure 11), if the user is not permitted complete access to first program and means for providing complete audio and visual access to the first program (Page 11, lines 10-19, Page 32, lines 12-13, Figure 11) as taught by Townsend in order to simplify user control and to make the control more user friendly (Page 5, lines 2-7) as disclosed by Townsend.

Regarding Claim 142, Niijima and Townsend disclose all the limitations of Claim 141. Niijima discloses means for determining whether a user is permitted complete access to the second program or another program based on the access rights associated with the user or processing the data with the deciphering data to permit access to the program data via the conditional access module (CAM) (Column 14, lines 15-67, Column 15, lines 1-9). It is necessarily included that the CAM deciphers

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programs that are not restricted or prohibited to the users as conditional access systems restrict television programming for certain groups of users. Niijima discloses and means for providing complete audio and visual access to the user to the second program or program of choice if the user is permitted complete access to the first program (Column 14, lines 15-67, Column 15, lines 1-9). Townsend discloses means for permitting only partial audio and visual access by the user to the second program or program of choice while the program is displayed in the windows of the mosaic formation (Page 11, lines 10-19, Figure 11), if the user is not permitted complete access to first program and means for providing complete audio and visual access to the first program (Page 11, lines 10-19, Page 32, lines 12-13, Figure 11) and means for providing complete audio and visual access to the user to the first program if the user is permitted complete access to the second program (Page 11, lines 10-19, Page 32, lines 12-13, Figure 11).

### ***Conclusion***

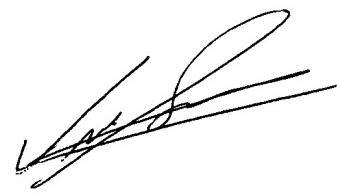
28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana E. Hossain whose telephone number is 571-272-5943. The examiner can normally be reached on Monday to Friday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

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